

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

[IN RE
ANA T. FIGUEROA ROMAN
Debtor

Alejandro Oliveras Rivera

Plaintiff

vs.

NOMAR A. TORRES LABOY
ANA T. FIGUEROA ROMAN
Defendants

BANKRUPTCY 19-03969 EAG
Adv Proc 21-00047

CHAPTER 13

**COUNSEL for CODEFENDANT MOTION JUSTIFYING
DELAY IN THIS CASE**

TO THE HONORABLE COURT:

COMES NOW counsel for codefendant, NOMAR A. TORRES LABOY who respectfully prays for this Court's indulgence:

Counsel for co-defendant, Nomar A. Torres Laboy informs that this case has practically come to a halt, due primarily to this counsel's delay in responding to plaintiff's discovery, and most recently, as of February 22, 2022 in responding to Plaintiff in his diligence in moving this case forward.

Although this party initiated discovery very early in this case particularly to the debtor, we have admittedly been remiss in completing co-defendant's Answer to *Interrogatories*, although the *Request for Admissions* has been answered. We prepared additional discovery to the debtor, and to plaintiff, but for the reason that follows, has also been delayed.

Generally, appearing counsel attempts to exercise due and quick diligence in her cases. Notwithstanding, we here confess that since late February, or beginning of March, we have been remiss in following up with plaintiff's counsel, Mr. Pedro Medina, Esq. discovery requests.

We have sought counsel Medina's indulgence, and do so now with this Court.

Days after counsel's Medina's correspondence in this case and submission of plaintiff's discovery requests, our 96 year old mother was taken ill and we have now been forced to travel to Washington, D.C. back and forth from Puerto Rico, and will once

again depart this afternoon to return to our mother's bedside, especially before Mother's Day. We depart today to Washington, D.C. once again.

The situation with the illness of our mother was of course unanticipated and has taken time to assimilate and prepare, since our mother has been relatively healthy in her long 96 years and lived alone until very recently.

We are unaware of what to expect on this next trip and we cannot, at this point in time, know when our office will resume and return to normal and able to work on this case and others.

We pray that the Court, as well, as plaintiff's counsel, understand and indulge this attorney for additional time to get back into our regular work load. In the last few days we have attempted to update our cases, but this one case has admittedly fallen through the cracks, for which we pray for this Court's indulgence, as well as for plaintiff's, under the circumstances.

WHEREFORE, based on the foregoing, codefendant Nomar A. Torres Laboy respectfully prays that this Court and plaintiff allow additional time to resolve all pending matters in this case. In the alternative, allow an extension of time to the discovery phase of this case for an additional 60 days, under the circumstances; or any remedy deemed just and proper.

NOTICE

Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (I) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

CERTIFICATE OF SERVICE: I hereby certify that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to all registered parties including the office of the U.S. Trustee, the Chapter 13 Trustee/Plaintiff at aorecf@ch12sju.com and codefendant/debtor's counsel, Ignacio Garcia Franco at ignaciolaw@gmail.com.

DATED: May 2, 2022.

s/ LA Morales

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